

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 E/S of Evna Road, 980' N of * DEPUTY ZONING COMMISSIONER
 Mt. Carmel Road * OF BALTIMORE COUNTY
 (17027 Evna Road) * Case No. 95-404-X
 6th Election District *
 3rd Councilmanic District *
 Shelter Valley Farm, LLC *
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 17027 Evna Road, located in the vicinity of the Gunpowder Falls State Park in Parkton. The Petition was filed by the owners of the subject property, Shelter Valley Farm, LLC, by John Phelps, and the Contract Purchaser/Lessee, Karl A. Terwilliger. The Petitioners seek approval to use the subject property as a riding stable in accordance with the site plan submitted and accepted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John Phelps, owner of the property, and Karl A. Terwilliger and Connie J. Shrader. Mr. A. A. Windersheim appeared as an interested party. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 48.8 acres, more or less, zoned R.C. 2 and is improved with a dwelling and several outbuildings. The property is presently being used as a riding stable and has been used as such for the past ten (10) years. Testimony indicated that Mr. Phelps acquired the property at a foreclosure approximately three years ago and that Mr. Terwilliger and Ms. Shrader have a lease with option to buy the property. Mr. Terwilliger and Ms. Shrader have requested the special exception to continue using the property as a

ORDER RECEIVED FOR FILING
 Date 6/21/95
 By [Signature]

MICROFILMED

riding stable. They testified that their operation consists of providing boarding facilities for privately owned horses. Testimony indicated that the Petitioners do not intend to rent these horses to the general public, and that their operation will be limited to providing boarding facilities for no more than 40 adult horses. Further testimony indicated that there will be no outdoor floodlights installed on the property which would allow for night riding.

It is clear that the B.C.Z.R. permits the use proposed in a R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

COPY RECEIVED FOR FILING
FIS
6/21/85
[Signature]

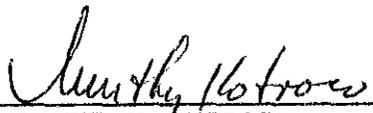
After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of June, 1995 that the Petition for Special Exception to use the subject property as a riding stable, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no outdoor floodlights installed on the property to permit nighttime riding. The Petitioners may install security lighting as necessary.
- 3) The Petitioners are prohibited from boarding more than forty (40) adult horses on the property at any one time.
- 4) The Petitioners shall be prohibited from renting horses to the general public.
- 5) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that these restrictions may only be modified by way of a future public hearing to address the appropriateness of any modification sought.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6/21/95
By [Signature]



Petition for Special Exception

75-404-X

to the Zoning Commissioner of Baltimore County

for the property located at

17027 EVNA Rd

which is presently zoned

RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A RIDING STABLE

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

KARL A. TERWILLIGER
(Type or Print Name)

Karl A. Terwilliger
Signature

17027 EVNA RD
Address

PARKTON MD 21120
City State Zipcode

Legal Owner(s)

JOHN PHELPS (SHEPHERD VALLEY FARM LLC)
(Type or Print Name)

[Signature]
Signature

(Type or Print Name)

Signature

Address Phone No

City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

MICROFILMED

397

ORDER RECEIVED FOR FILING

Date

BY



AREA OF SPECIAL EXCEPTION

Beginning for the same at a point in the centerline of Evna Road at a distance of 980"+/- northerly from the intersection formed by the intersection of Mount Carmel Road and Evna Road at the beginning of the 5th line of the land of Shelter Valley Farm recorded in Liber SM 9728 folio 26 then binding on Evna Road by a curve to the right for a distance of 58.33', thence leaving Evna Road N 79°-00'-01" E 351.46', N 30°-16'-35" W 215.07' and S 54°-33'-45" W 217.17' to the center of Evna Road thence with Evna Road N 30°-49'-26" E 137.25', by a curve to the left for a distance of 181.68', thence leaving Evna Road S 44°-00'-22" E 100.79', S 76°-18'-12" E 64.06, N 46°-43'-54" E 100.00', N 27°-57'-17" W 258.09', N 24°-43'-24" W 259.18', N 70°-14'-00" E 304.85', S 81°-04" E 169.00', N 81°-37' E 229.00', N 36°-38'-58" E 375.39', N 33°-25'-15" E 465.00, thence S 46°-25'-38" E 1163.05', S 18°-30'-54" E 155.61, S 52°-12'-19" W 1848.00', N 34°-14'-04" W 321.75', N 27°-43'-04" W 214.50, and S 77°-31'-26" W 445.50' to the place of beginning. Containing 48.80 Acres.



E. F. Raphel

E. F. Raphel,
Prof. Land Surveyor #2246

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-404-X

District 6th Date of Posting 5/19/95

Posted for: Special Exemptions

Petitioner: Shelter Valley Farm, LLC

Location of property: 17027 Edna Rd.

Location of Signs: Facing road way on property being zoned S

Remarks: _____

Posted by [Signature] Date of return: 5/20/95
Signature

Number of Signs: 1



CERTIFICATE OF PUBLICATION

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #88-404-X
(Item 397)
17027 Evna Road
c/ Evna Road, 980' N of Mt. Carmel Road
6th Election District
3rd Councilmanic
Legal Owner(s):
Shelter Valley Farm, LLC
Contract Purchaser:
Karl A. Terwilliger
Hearing: Monday,
June 12, 1995 at 9:00
a.m. in Rm. 118, Old
Courthouse.

Special Exception for a riding stable.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
capped Accessible; for special ac-
commodations Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
5/24/95 May 18.

TOWSON, MD.,

May 19, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 3 successive weeks, the first publication appearing on May 4, 1995.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

Printed



Baltimore County
 Zoning Administration &
 Development Management
 112 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-404-X

Account: R-001-6150

Number

397

Date

3 May 95

17027 - E JWC Rd

Shelter Valley Farm LLC
 (PHELPS)
 (Tel) Hoyer

050 - 300

080 35

335.00

APPROVED

034038002971 CHR

\$335.00

BA 0002-24PM05-03-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

Karl A. Terwilliger
17027 Evna Road
Parkton MD 21120
343-2640

NOTICE OF HEARING

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CASE NUMBER: 95-404-X (Item 397)
17027 Evna Road
c/l Evna Road, 980' N of Mt. Carmel Road
6th Election District - 3rd Councilmanic
Legal Owner(s): Shelter Valley Farm, LLC
Contract Purchaser: Karl A. Terwilliger
HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
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or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-404-X (Item 397)

17027 Evna Road

c/l Evna Road, 980' N of Mt. Carmel Road

6th Election District - 3rd Councilmanic

Legal Owner(s): Shelter Valley Farm, LLC

Contract Purchaser: Karl A. Terwilliger

HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

A handwritten signature in black ink that reads "Arnold Jablon".

Arnold Jablon
Director

cc: John Phelps
Karl A. Terwilliger

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John Phelps
Shelter Valley Farm
801 Post Boy Court
Towson, Maryland 21286

RE: Item No.: 397
Case No.: 95-404-X
Petitioner: John Phelps

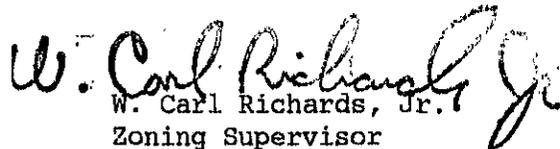
Dear Mr. Phelps:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 16, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 391, 392, and 397.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396,
397, 398, 399 AND 400.

RECEIVED

MAY 16 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

5-12-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 397 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 31, 1995

TO: Hearing Officer

FROM: Catherine A. Milton
Planner I, ZADM

SUBJECT: Item #397
17027 Evna Road

Arnold said even though owner is incorporated, petitioner is contract purchaser and, therefore, doesn't need an attorney.

See letter of ownership in file.

CAM:scj

SECRET

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
17027 Evna Road, c/l Evna Rd, 980' N of	*	ZONING COMMISSIONER
Mt. Carmel Road, 6th Election District,	*	OF BALTIMORE COUNTY
3rd Councilmanic	*	CASE NO. 95-404-X
Shelter Valley Farm, LLC	*	
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of May, 1995, a copy of the foregoing Entry of Appearance was mailed to John Phelps, Shelter Valley Farm, LLC, 801 Post Bay Court, Towson, MD 21286, Legal Owner/Petitioner, and to Karl Terwillger, 17027 Evna Road, Parkton, MD 21120, Contract Purchaser.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

95-404-X

APRIL 06, 1995

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO SERVE AS NOTICE THAT JOHN H. PHELPS IS THE
PRESENT OWNER OF THE PROPERTY KNOWN AS:

SHELTER VALLEY FARM L L C
17027 EVNA ROAD
PARKTON, MARYLAND 21120

John H Phelps
JOHN H. PHELPS

DATED: 4/6/95

ON THIS 6TH DAY OF APRIL, 1995, JOHN H. PHELPS , PERSONALLY
KNOWN TO ME, A NOTARY IN THE STATE OF MARYLAND, BALTIMORE COUNTY.

Linda L Coleman

LINDA L. COLEMAN
NOTARY PUBLIC, STATE OF MARYLAND
My Commission Expires April 1, 1996

MICROFILMED

397

EASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Karl A. Terwilliger

17027 Euna Rd. Pakton, MD 21120

Cammie J. SHREAGER

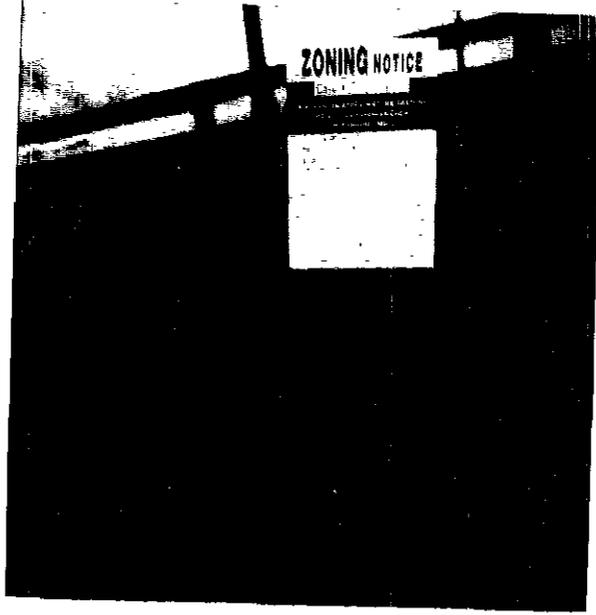
" " "

JOHN PHELPS

801 POST BOY CT.



95-404-X



4011

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 21, 1995

(410) 887-4386

Mr. John Phelps
801 Post Bay Court
Baltimore, Maryland 21286

RE: PETITION FOR SPECIAL EXCEPTION
E/S of Evna Road, 980' N of Mt. Carmel Road
(17027 Evna Road)
6th Election District - 3rd Councilmanic District
Shelter Valley Farm, LLC - Petitioners
Case No. 95-404-X

Dear Mr. Phelps:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

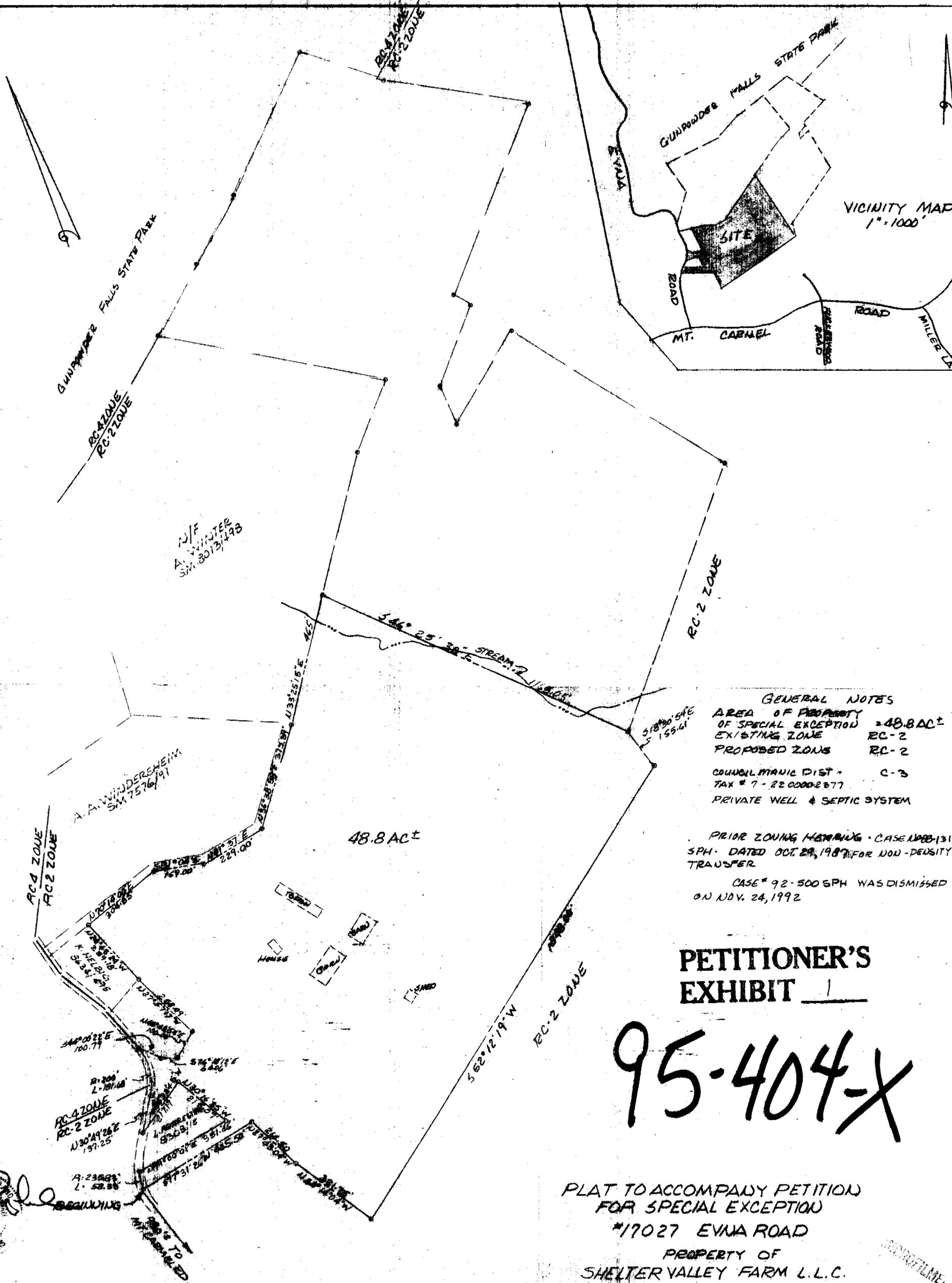
TMK:bjs

cc: Mr. Karl Terwilliger
Ms. Connie Shrader
17027 Evna Road, Parkton, Md. 21120

People's Counsel

File





GENERAL NOTES
 AREA OF PROPERTY OF SPECIAL EXCEPTION = 48.8 AC±
 EXISTING ZONE RC-2
 PROPOSED ZONE RC-2
 COUNCIL MANIC DIST. C-3
 TAX # 7-22 0000-2577
 PRIVATE WELL & SEPTIC SYSTEM

PRIOR ZONING HEARING - CASE NAB-131
 SPH - DATED OCT. 29, 1987 FOR NON-DENSITY
 TRANSFER
 CASE # 92-500 SPH WAS DISMISSED
 ON NOV. 24, 1992

PETITIONER'S EXHIBIT

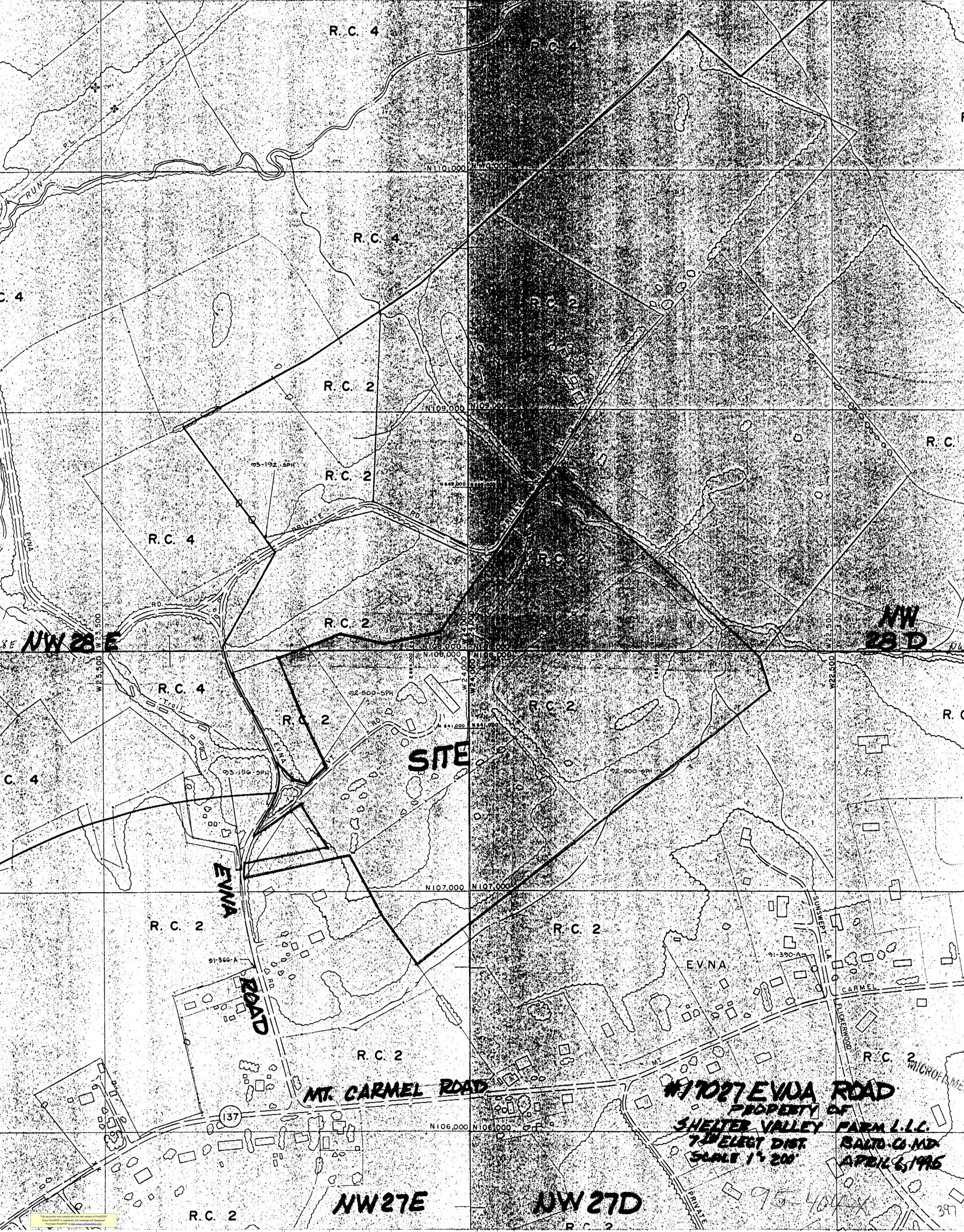
95-404-X

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
 #17027 EVNA ROAD
 PROPERTY OF SHELTER VALLEY FARM L.L.C.
 7TH ELECT. DIST. BALTO. CO. MD.
 SCALE 1" = 200' APRIL 4, 1995



E. F. RAFAEL & ASSOC.
 REGISTERED PROFESSIONAL LAND SURVEYORS
 205 COURTLAND AVENUE
 TOWSON, MARYLAND 21286
 825-3908

NOTE: OUTLINE SHOWN HEREON WAS PLOTTED FROM DEEDS, PLATS AND OTHER SOURCES, & IS NOT A SURVEY
 OWNER: SHELTER VALLEY FARM L.L.C.
 801 FORT BAY CT.
 BALTO. MD. 21286



R.C. 4

R.C. 4

R.C. 2

R.C. 2

R.C. 2

R.C. 4

R.C. 4

R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

R.C. 2

MT. CARMEL ROAD

NW 27 EVNA ROAD

PROPERTY OF

SHELTER VALLEY FARM L.L.C.

7th ELECT DIST.

SCALE 1" = 200'

BALTO. CO. MD.

APRIL 6, 1995

NW 27 E

NW 27 D

R.C. 2

R.C. 2

R.C. 2

Small text at bottom left corner.

95-40

397

IN RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE
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Timothy M. Kotrocco
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning
 Suite 112 Courthouse
 400 Washington Avenue
 Towson, MD 21204
 June 21, 1995 (410) 887-4386

Mr. John Phelps
 801 Post Bay Court
 Baltimore, Maryland 21206
 RE: PETITION FOR SPECIAL EXCEPTION
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Very truly yours,
Timothy M. Kotrocco
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

THM:bjs
 cc: Mr. Karl Terwilliger
 Ms. Connie Shrader
 17027 Evna Road, Parkton, Md. 21120
 People's Counsel
 file

ORDER RECEIVED FOR FILING
 Date 6/21/95
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 6/21/95
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 6/21/95
 By [Signature]

Petition for Special Exception
 to the Zoning Commissioner of Baltimore County
 for the property located at 17027 Evna Rd
 which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a RIDING STABLE

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee: *Karl A. Terwilliger*
 Type or Print Name: *Karl A. Terwilliger*
 Signature: *Karl A. Terwilliger*
 Address: 17027 Evna Rd, Parkton MD 21120

Legal Owner(s): *John Phelps (Shelter Valley Farm LLC)*
 Type or Print Name: *John Phelps*
 Signature: *John Phelps*
 Address: _____
 City: _____ State: _____ Zipcode: _____

ORDER RECEIVED FOR FILING
 Date 6/21/95
 By [Signature]

397

E. F. RAPHEL & ASSOCIATES
 Registered Professional Land Surveyors
 205 COURTLAND AVENUE
 TOWSON, MARYLAND 21204

95-404-X

OFFICE: 825-0308 RESIDENCE: 771-4592

AREA OF SPECIAL EXCEPTION

Beginning for the same at a point in the centerline of Evna Road at a distance of 980' +/- northerly from the intersection formed by the intersection of Mount Carmel Road and Evna Road at the beginning of the 5th line of the land of Shelter Valley Farm recorded in Liber SM 9728 folio 26 then binding on Evna Road by a curve to the right for a distance of 58.33', thence leaving Evna Road N 79°-00'-01" E 351.45', N 30°-16'-35" W 215.07' and S 54°-33'-45" W 217.17' to the center of Evna Road thence with Evna Road N 30°-49'-26" E 137.25', by a curve to the left for a distance of 181.68', thence leaving Evna Road S 44°-00'-22 E 100.79', S 76°-18'-12" E 64.06, N 46°-43'-54" E 100.00', N 27°-57'-17" W 258.09', N 24°-43'-24" W 259.18', N 70°-14'-00" E 304.85', S 81°-04'-E 169.00', N 81°-37' E 229.00', N 36°-38'-58" E 375.39', N 33°-25'-15" E 465.00, thence S 46°-25'-38" E 1163.05', S 18°-30'-54" E 155.61, S 52°-12'-19" W 1848.00', N 34°-14'-04 W 321.75', N 27°-43'-04" W 214.50, and S 77°-31'-26" W 445.50' to the place of beginning. Containing 48.80 Acres.

E. F. Raphael
 E. F. Raphael,
 Prof. Land Surveyor #2246

397

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: *6th* Date of Posting: *7/19/95*
 Posted for: *Special Exception*
 Petitioner: *Shelter Valley Farm, LLC*
 Location of property: *17027 Evna Rd*
 Location of Sign: *Evna Rd at 5th Party being 2000 ft*
 Remarks: _____
 Posted by: *[Signature]* Date of return: *7/20/95*
 Number of Signs: *1*

CERTIFICATE OF PUBLICATION

TOWSON, MD. *May 19, 1995*
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of *3* successive weeks, the first publication appearing on *May 4, 19 95*

THE JEFFERSONIAN,
A. Henriksen
 LEGAL AD. - TOWSON
 Publisher

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning and Ordinance Code of Baltimore County, will hold a public hearing on the proposed Special Exception to use the subject property as a riding stable, in accordance with Petitioner's Exhibit 1, at the County Office Building, 400 Washington Avenue, Towson, Maryland 21204 as follows:
 Case: 95-404-X
 (Rev. 97)
 17027 Evna Road
 6th Election District
 3rd Councilmanic District
 Legal Owner(s):
 Contract Purchaser:
 Carl A. Terwilliger
 Hearing: Monday, June 12, 1995 at 5:00 P.M. in Room 112, 3rd Courthouse
 Special Exception for a riding stable.
 LAWRENCE E. SCHMIDT
 Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Hand-capped Accounts; for special accommodations, please call 887-3391.
 (2) For information concerning the hearing, please call 887-3391.
 (3) May 11.

Baltimore County Zoning Administration & Development Management
 112 Washington Avenue
 Towson, Maryland 21204
 receipt
 95-404-X
 Account: R-001-6150
 Number: 397
 Date: 31 May 95
 17027 Evna Rd
 050-300
 080 35
 335.00
 Shelter Valley Farm LLC
 (PHELPS)
 (to go)
 0360380029MCHRC #335.00
 Please Make Checks Payable To: Baltimore County
 Cashier Validation

TO: FUTURE PUBLISHING COMPANY
May 18, 1995 Issue - Jeffersonian

Please forward billing to:

Earl A. Terwilliger
17027 Evna Road
Parkton MD 21120
343-2640

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-404-X (Item 397)
17027 Evna Road
c/1 Evna Road, 960' N of Mt. Carmel Road
6th Election District - 3rd Councilmanic
Legal Owner(s): Shelter Valley Farm, LLC
Contract Purchaser: Earl A. Terwilliger
HEARING: MONDAY, JUNE 12, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a riding stable.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 11, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Special Exception for a riding stable.

Carl Jablon
Arnold Jablon
Director

cc: John Phelps
Earl A. Terwilliger

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 5, 1995

Mr. John Phelps
Shelter Valley Farm
801 Post Boy Court
Towson, Maryland 21286

RE: Item No.: 397
Case No.: 95-404-X
Petitioner: John Phelps

Dear Mr. Phelps:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on May 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management May 15, 1995

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #397 - Shelter Valley Farm
17027 Evna Road
Zoning Advisory Committee Meeting of May 15, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Agricultural Preservation Program

This property is in an Agricultural Easement. A riding stable is an agricultural operation and thus does not conflict with use of prime and productive soils.

JLP:ML:sp

SHELTERV/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management DATE: May 16, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 391, 392, and 397.
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*
Division Chief: *Gary L. Kerns*

PK/JL

ITEM392/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 05/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF MAY 15, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 392, 394, 395, 396,
397, 398, 399 AND 400.

RECEIVED
MAY 16 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-6881, MS-1102F

cc: File

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Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

5-12-95
Re: Baltimore County
Item No: 397 (CAH)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 31, 1995

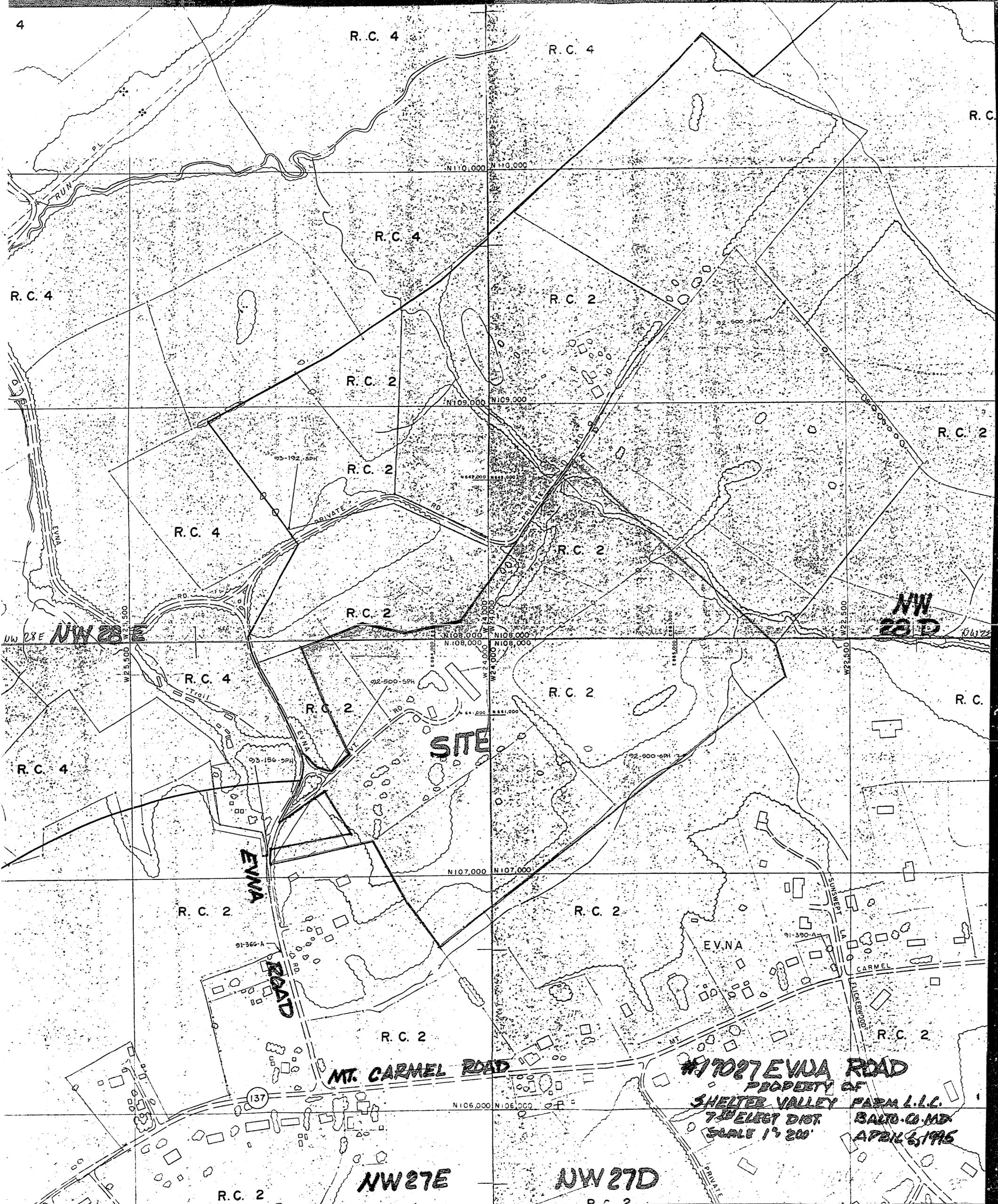
TO: Hearing Officer

FROM: Catherine A. Milton
Planner I, ZADM

SUBJECT: Item #397
17027 Evna Road

Arnold said even though owner is incorporated, petitioner is contract purchaser and, therefore, doesn't need an attorney.
See letter of ownership in file.

CAM:scj



#17027 EVNA ROAD
 PROPERTY OF
SHELTER VALLEY FARM L.L.C.
 7TH ELECT DIST. BALTO. CO. MD.
 SCALE 1" = 200'
 APRIL 5, 1995

NW27E

NW27D

R.C. 2

R.C. 2